

2004 JAN -6 P 12:14

BY MS DEPUTY

CV-S-04-0006-RLH-LRL

Plaintiff was employed by Defendant in April, 2002, and discharged in February, 2003. During that time she was subjected to harassment based upon her sex and race. She

1 complained about that harassment, but it did not stop. Plaintiff was terminated primarily  
2 because of her race, sex and in retaliation for complaining about the harassment. and age,  
3 and in retaliation for complaining about discrimination.

4 IV.

5 Plaintiff filed a charge of discrimination and a copy of that charge is attached  
6 hereto and incorporated by reference. A finding of probable cause was made by the  
7 agency investigating her charge, and a right to sue letter has been received, copies of  
8 which are attached hereto and also incorporated by reference.

9 V.

10 As a direct result of the Defendant's unlawful conduct the Plaintiff has suffered  
11 financial loss and emotional distress, the full extent of which is as yet unknown.

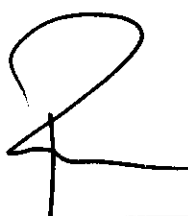
12 VI.

13 Defendant's conduct was intentional, malicious and done with a conscious  
14 disregard for Plaintiff's federally protected rights.

15 WHEREFORE, Plaintiff prays for the following relief:

- 16 1. Reinstatement with full backpay, benefits and prejudgment interest;  
17 2. Frontpay, if reinstatement is not possible;  
18 3. Compensatory damages in the amount of \$300,000;  
19 4. Punitive damages in the amount of \$300,000;  
20 5. Attorney's fees and costs of suit; and  
21 6. Such other and further relief as the Court may wish to entertain.

22 DATED this 6<sup>th</sup> day of January, 2004.

23  
24   
25 RICHARD SEGERBLOM, ESQ.  
26 704 South Ninth Street  
27 Las Vegas, Nevada 89101  
28 Attorney for Plaintiff

<b>CHARGE OF DISCRIMINATION</b>		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER  340A300605
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.			
<u>Nevada Equal Rights Commission</u> <i>State or local Agency, if any</i>		and EEOC	
NAME (Indicate Mr., Ms., Mrs.) <u>Ms. Julian Morris</u>		HOME TELEPHONE (Include Area Code) <u>(702) 255-5582</u>	
STREET ADDRESS <u>-9368 Sparkling Waters Ave., Las Vegas, NV 89129</u>		CITY, STATE AND ZIP CODE <u>Las Vegas, NV 89129</u>	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)		DATE OF BIRTH <u>09/29/1965</u>	
NAME <u>Olympia Land Corporation</u>		NUMBER OF EMPLOYEES, MEMBERS <u>Cat A (15-100)</u>	
STREET ADDRESS <u>3140 S. Rainbow Blvd. #400, Las Vegas, NV 89146</u>		TELEPHONE (Include Area Code) <u>(702) 220-6565</u>	
CITY, STATE AND ZIP CODE <u>Las Vegas, NV 89146</u>		COUNTY <u>003</u>	
NAME		TELEPHONE NUMBER (Include Area Code)	
STREET ADDRESS		CITY, STATE AND ZIP CODE	
COUNTY		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST	
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		<u>07/01/2002</u> <u>02/24/2003</u> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
++++++AMENDED CHARGE++++++			
<p>I. I have been working for Olympia Land Corporation since about April 2002, most recently as an Accounting Assistant. Since on or about July 1, 2002 and continuing through February 24, 2003, I have been subjected to a hostile work environment which included, but was not limited to, offensive comments of a sexual and/or racial nature by Jody Pitrello, White, Human Resources Manager.</p> <p>II. No reason was given for the harassment. I complained about the harassment to Brett Goett, attorney for the company, on or about December 2, 2002. Although Ms. Pitrello addressed the matter to me in an email dated December 11, 2002, she continued to make an offensive racial comment to me on or about December 18, 2002. On or about February 24, 2003, I received a letter written by Mr. Goett stating that I was being discharged due to problems with my attendance.</p> <p>III. I believe that I was subjected to a hostile work environment due to my sex [female] and race [Black], and that I was discharged in retaliation for complaining of discrimination, in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date <u>3/6/03</u>		SIGNATURE OF COMPLAINANT <u>[Signature]</u>	
Charging Party (Signature) <u>[Signature]</u>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Month, day and year)	



UNITED STATES GOVERNMENT  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

GOBIERNO DE LOS ESTADOS UNIDOS  
COMISION DE IGUALDAD DE OPORTUNIDAD EN EL EMPLEO

255 E. TEMPLE STREET, 4TH FLOOR  
LOS ANGELES, CALIFORNIA 90012  
1-800-669-4000  
(213) 894-1000  
TDD (213) 894-1121  
FAX (213) 894-1118

Charge No.: 340A300605

Juajuan Morris  
9368 Sparkling Waters Avenue  
Las Vegas, NV 89129

Charging Party

Olympia Land Corporation  
3140 South Rainbow Blvd., #400  
Las Vegas, NV 89146

Respondent

LETTER OF DETERMINATION

I issue the following determination as to the merits of this charge.

Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000-e et seq. ("Title VII") and timeliness and all other requirements for coverage have been met.

The Charging Party alleges that she was subjected to a hostile work environment caused by sexual harassment because of her sex, female and her race, Black; and that she was discharged in retaliation for complaining about the harassment. Respondent denies the allegations.

Examination of the evidence reveals reasonable cause to believe that Charging Party's claim of harassment and discharge is true and that Respondent discriminated against Charging Party on the basis of her sex, female, race, Black, and retaliated against Charging Party for protesting discrimination, in violation of Title VII.

According to Section 706(b) of Title VII, if the Commission determines there is reason to believe that violations have occurred, it shall endeavor to eliminate the alleged unlawful practices by informal methods of conference, conciliation and persuasion. Having determined that there is reason

## DETERMINATION

Charge No.: 340A300605

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to believe that violations have occurred, the Commission now invites the parties to join with it in a collective effort toward a just resolution of this matter. If the Respondent declines to enter into settlement discussions, or when, for any other reason, a settlement acceptable to the Director is not obtained, the Director will inform the parties in writing and advise them of the court enforcement alternatives available to the Charging Party, aggrieved persons and the Commission. Contact Commission Representative, Belynda A. Lindsey, within five days of your receipt of this determination to express your interest in conciliation.

On Behalf of the Commission:

OCT 31 2003

Date

  
\_\_\_\_\_  
Olophius E. Perry, District Director  
Los Angeles District Office

EEOC Form 161-A (1/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE  
(CONCILIATION FAILURE)

To: Jajuan Morris  
9368 Sparkling Waters Avenue  
Las Vegas, NV 89129

From: Los Angeles District Office  
255 E Temple Street  
4th Floor  
Los Angeles, CA 90012

☐ On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR § 1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
340-2003-00605	Belynda A. Lindsey, Investigator	(213) 894-1043

TO THE PERSON AGGRIEVED:

This Notice concludes the EEOC's processing of the above-numbered charge. The EEOC found reasonable cause to believe that violations of the statute(s) occurred with respect to some or all of the matters alleged in the charge but could not obtain a settlement with the Respondent that would provide relief for you. In addition, the EEOC has decided that it will not bring suit against the Respondent at this time based on this charge and will close its file in this case. This does not mean that the EEOC is certifying that the Respondent is in compliance with the law, or that the EEOC will not sue the Respondent later or intervene later in your lawsuit if you decide to sue on your own behalf.

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

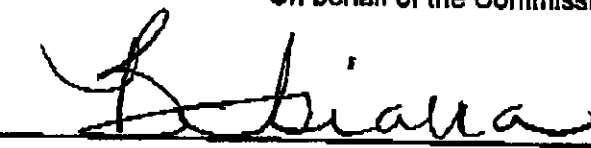
Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this Notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Enclosure(s)

  
Olophius E. Perry,  
Director

11/24/03  
(Date Mailed)

cc:

Olympia Land Corporation  
c/o Quarles & Brady Streich Lang LLP  
ATTN: Eric B. Johnson  
One Renaissance Square  
Two North Central Avenue  
Phoenix, AZ 85004-2391